

proposed amendment, and if a majority shall be for the amendment it shall be declared adopted; if a majority of the votes cast shall be against the amendment, said amendment shall be lost. All provisions of the general election laws, as amended and enforced at the time said election is held, shall govern in all respects as to the qualifications of the electors, the method of holding such elections, and in all other respects so far as such election laws can be made applicable.

Sec. 4. The Governor of this State is hereby directed to issue the necessary proclamation for such election and have same published as required by the Constitution and laws of this State.

Sec. 5. The sum of five thousand (\$5,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of such proclamation, publication and election.

#### TWELFTH DAY.

Senate Chamber,  
Austin, Texas, Jan. 29, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Parr. Woodward.

Absent—Excused.

Bailey. Gibson.  
Dean.

Prayer by Rev. John R. Nelson of Midlothian, Texas.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

#### Excused.

Senators Dean, Bailey and Gibson were excused for today and tomorrow on account of important business, on motion of Senator Dudley.

#### Petitions and Memorials.

See Appendix.

#### Standing Committee Reports.

See Appendix.

#### Special Committee Appointment.

Pursuant to the provisions of House Concurrent Resolution No. 20, I hereby appoint Senators Page, Witt and Williford as a committee from the Senate to act jointly with the committee from the House of Representatives to make such investigation of the Ranger forces as is provided for by the said resolution.

W. A. JOHNSON,  
Lieutenant Governor of Texas.

#### Bills and Resolutions.

By Senator Williford:

S. B. No. 155, A bill to be entitled "An Act making an appropriation for the drilling and equipment of a deep well to supply the State Agricultural Experiment Station at College Station with a sufficient quantity of water, for the building of a reservoir and the purchase and installment of a pumping plant in connection therewith, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Williford:

S. B. No. 156, A bill to be entitled "An Act to amend Section 1 of Chapter 74, page 139, of the Acts of the Regular Session of the Thirty-fifth Legislature, so as to extend the time when said Act shall become effective

to January 1, 1921, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senators Strickland and Floyd:

S. B. No. 157, A bill to be entitled "An Act making it unlawful to construct, with a view to rent, or to offer to rent, or to have rented, any house or apartment house that is to be used as a dwelling that does not conform to the sanitary standards prescribed for said dwelling house or apartment and for the water supply in or used with said house or apartment house; and prescribing certain standards to be observed in the construction of buildings or houses, and in the water supply and toilets for such houses to be occupied by tenants, whether such tenants are farm tenants or tenants occupying rent premises in towns and cities; making the violation of the Act a misdemeanor and fixing a punishment therefor; making it the duty of the District Judges of the State to give this Act in charge to the grand jury; making it the duty of county, municipal and State health officers to report violations of this law to the County Attorneys and authorizing them to institute prosecutions for its violation; making it a misdemeanor for the tenants to injure the property provided to meet the requirements of this Act, and fixing a punishment therefor; making it the duty of the State Board of Health to prepare and distribute bulletins showing practical plans and specifications to carry out this law and furnishing advice to those desiring to institute sanitary facilities in accordance with this Act; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Witt, Williford, Page, Caldwell, Hertzberg, Dudley, Johnston, Buchanan of Scurry, Clark, McNealus, Alderdice, Faust, Cousins, and Hall:

S. B. No. 158, A bill to be entitled "An Act to amend Article 7059 of Chapter 3, Title 120, of the Revised Civil Statutes of the State of Texas of 1911, increasing salaries of Judges of District Courts of this State from three thousand dollars a year to three thousand five hundred dollars a year, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Hopkins:

S. B. No. 159, A bill to be entitled "An Act to make an emergency appropriation for the further maintenance for the remainder of the regular session and for the summer session of 1919 of the College of Industrial Arts, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Bell:

S. B. No. 160, A bill to be entitled "An Act to establish and fix the salary of the chairman of the Live Stock Sanitary Commission, repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Stock and Stock Raising.

By Senator Bell:

S. B. No. 161, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the fiscal year ending August 31, 1919, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Bell:

S. B. No. 162, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the fiscal year ending August 31, 1919, and declaring an emergency."

By Senators McNealus, Smith, Dayton, Alderdice, Hall, Floyd, Dorrough, Buchanan of Scurry, Suiter, Williford, Witt, Westbrook, Bell, Dudley, Cousins, Buchanan of Bell, Clark, Johnston, Carlock, Page, Strickland, Faust, and Hertzberg:

S. C. R. No. 11, providing for a constitutional convention to be held in the city of Austin on the second Monday in January, 1920; and for the election of delegates to said convention to be elected at the next general election on Tuesday after the first Monday in November, 1919; making an appropriation to defray expenses, etc."

Read first time, and referred to the Committee on Constitutional Amendments.

By Senator Dorrough:

S. B. No. 163, A bill to be entitled

"An Act to amend Section 7, House Bill No. 97, passed by the First Called Session of the Thirty-fifth Legislature, and approved by the Governor May 26, 1917, providing certain manner of marking bales of cotton ginned by each and every ginner, and providing that the quality of bagging shall at all times be such that the marking thereon will under ordinary conditions remain intact and visible, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator McNealus:

S. B. No. 164, A bill to be entitled "An Act to define as common carrier within this State persons, firms, associations of persons and corporations operating motor vehicles and other self-propelling public conveyances, and affording means of street transportation similar to that ordinarily afforded by street railways, but not operated upon fixed tracks; to declare the business of all such common carriers a privilege, and to forbid and declare and denounce as a misdemeanor their operation upon streets, alleys and public places of incorporated cities or towns without obtaining permits or licenses from such cities or towns, and giving bond to indemnify against loss of life, injury to persons and damage to property; to authorize incorporated cities and towns of this State to grant permits and licenses to such carriers to operate over streets, alleys and public places, and to fix routes, limit the carrying capacity of such vehicles or conveyances, and prescribe terms and conditions upon which same may be operated, and to regulate and control such operation in the interest of public convenience and safety, and to impose a license fee for the exercise of the privilege herein granted; fixing a penalty for the violation of said Act, and declaring an emergency."

Read first time, and referred to the Committee on Internal Improvements.

By Senator Dayton:

S. B. No. 165, A bill to be entitled "An Act appropriating the sum of ten thousand (\$10,000.00) dollars, or so much thereof as may be necessary, for the purpose of making a permanent record of the service of the Texas men in the army and navy of the United States in the recent war

against Germany and her allies; providing that the same shall be expended by and under the direction of the Adjutant General of Texas; providing that the records in and hereafter provided for shall be prima facie evidence of the enlistment, services and discharge of said soldiers and sailors, and declaring an emergency."

Read first time, and referred to the Committee on Military Affairs.

By Senator Suiter:

S. B. No. 166, A bill to be entitled "An Act to make it unlawful to rent, offer to rent, to have rented, or to receive compensation for the use and hire of any house or apartment house that is to be used as a dwelling, which does not conform to the sanitary and comfort standards described herein for dwelling houses or apartment houses, and prescribing the water supply and the protection of same from sources of pollution, and prescribing other conveniences to be used in or with said house or apartment house; and prescribing certain sanitary standards to be observed in the construction of buildings or houses and in water supply and conveniences for such houses to be occupied by tenants regardless of whether such tenants pay rent directly or indirectly as farm tenants or tenants renting houses in towns or cities; making the violation of the Act a misdemeanor and prescribing penalties therefor; making it the duty of the District Judges of the State to give this Act in charge to the grand jury at each convening of the grand jury; making it a misdemeanor for the tenant to injure the property provided to meet the requirements of this Act, and prescribing penalties therefor, and declaring an emergency."

Read first time, and referred to Committee on Public Health.

By Senator Caldwell:

S. B. No. 167, A bill to be entitled "An Act to amend Article 2926, of Title 49, of the Revised Civil Statutes of Texas, relating to compensation of election officers and hours constituting working day, so as to provide compensation for judges and clerks of general and special elections, and to provide that eight hours shall be considered a day within the meaning

of this Article, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

#### Simple Resolution No. 42.

Whereas, It is announced in the press that the Hon. Joseph Weldon Bailey, formerly a United States Senator from Texas, is to address a public meeting at Fort Worth, Texas, on or about March 1, 1919; now, therefore, be it

Resolved, That Mr. Bailey be requested to visit Austin and address the Senate of Texas, on such subject and at such time as may be convenient and satisfactory to him.

McNEALUS.

DAYTON.

JOHNSTON.

The resolution was read and adopted.

#### Messages from the Governor.

A messenger from the Governor's office here arrived with an executive message, which was laid before the senate and read as follows:

##### Governor's Office,

Austin, Texas, January 29, 1919.  
To the Texas State Senate.

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be members of the Board of Regents, State Normal Schools:

W. J. Crawford, Jefferson County, to succeed himself;

A. C. Goeth, Travis County, to succeed himself.

To be members, Board of Regents, College of Industrial Arts:

J. W. Sullivan, Denton County, to succeed J. C. Coit, Denton County;

James H. Lowry, Fannin County, to succeed himself.

To be members, Board of Managers, Texas School for the Blind:

E. J. Byrne, Tarrant County, to succeed himself;

W. E. Stepter, Ellis County, to succeed M. T. Fowler, Travis County.

To be members Board of Trustees, Deaf and Dumb Institute:

R. W. Finley, Travis County, to

succeed A. W. Pfeuger, Travis County.

To be members Board of Managers, State Lunatic Asylum:

W. H. Folts, Travis County, to succeed himself;

Wm. F. Wolf, Travis County, to succeed himself.

To be members, Board of Trustees, Southwestern Insane Asylum:

Albert Kronsosky, Bexar County to succeed Jack W. Neal, Bexar County;

Sam Goodman, Bexar County, to succeed Joe T. Tucker, Bexar County.

To be members Board of Managers, North Texas Insane Asylum:

George E. Kelly, Kaufman County, to succeed himself;

Jeff C. Lyon, Kaufman County, to succeed himself.

To be members, Board of Managers, Confederate Home:

W. R. Davie, Travis County to succeed himself;

W. M. Dunson, Travis County, to succeed Felix Robertson, McLennan County.

To be members Board of Managers, Confederate Woman's Home:

Will Hart, Travis County, to succeed Jim Keeble, Travis County.

J. P. Burch, Travis County, to succeed H. B. Armstrong, Travis County.

To be members, Board of Managers, State Orphans' Home:

J. A. Thompson, Navarro County, to succeed R. J. Saunders, Navarro County;

Dexter Hamilton, Navarro County, to succeed Doc. Boyett, Navarro County.

To be members State Board Medical Examiners:

Dr. W. C. Swain, Dallas County;

Dr. C. O. Terrell, Eastland County;

Dr. David Berry, Bexar County;

Dr. S. L. Mayo, Bell County;

Dr. R. Y. Lacy, Camp County;

Dr. D. W. Davis, Jefferson County;

Dr. D. S. Harris, Dallas County;

Dr. E. Marvin Bailey, Harris County;

Dr. T. J. Crowe, Dallas County.

Dr. H. C. Morrow, Travis County;

Dr. M. E. Daniel, Fannin County

To be members, Board of Managers, State Industrial School for Boys:

Mrs. J. R. Poindexter, Bell Coun-

ty, to succeed Mrs. E. W. Bounds, Falls County;

Mrs. E. L. Humphries, McLennan County, to succeed M. M. Harris, Bexar County.

To be members Governing Board Agricultural Experimental Station:

P. L. Downs, Bell County, to succeed himself.

To be Judge of the Tenth Judicial District:

H. C. Hughes, Galveston County, to succeed Clay S. Briggs, resigned.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office.

Austin, Texas, January 28, 1919.

To the Senate of the Thirty-sixth Legislature of Texas:

I ask the advice, consent and confirmation of the Senate in the following appointment:

To be District Attorney for the First Judicial District of Texas:

Hon. K. W. Stephenson of San Augustine County, vice Hon. Hamp Downs, deceased; appointed January 25, 1919.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

After the reading of the above messages, the Chair referred the same to the Committee on Governor's Nominations.

#### Senate Librarian.

Senator McNealus moved that, the time heretofore allowed Mrs. Francis McMinds in which to accept the position of Senate Librarian be extended to February 10th.

The motion prevailed.

#### Senate Bill No. 146 Rereferred.

By unanimous consent and on request of Senator Dayton, Senate Bill No. 146 was withdrawn from the Committee on Internal Affairs and was referred to the Committee on State Institutions and Departments.

#### House Concurrent Resolution No. 9.

The Chair laid before the Senate the following:

H. C. R. No. 9, Relating to the

Thirty-sixth Division of the American Expeditionary Forces in France.

Whereas, The Thirty-sixth Division of the American Expeditionary Forces have gone down in history as one of the greatest units of heroic soldiers the world has yet produced; and

Whereas, The Thirty-sixth Division which is made up of our sons and our neighbors' sons to a very large degree is about to be ordered home for demobilization, they having performed their part in the great victorious struggle for the maintenance of peace and prosperity of the world and for democracy; and

Whereas, It is but the natural desire for every mother, every wife, every sweetheart and every father to be at the ship's side to welcome these heroes at the very first moment possible when they come home; and

Whereas, This great pleasure to the mothers, wives, sweethearts, fathers and to the rest of us who are clamoring for the honor of being a party to the glorious reception to which these warriors are justly entitled is beyond the realm of the possible because of the expense and the distance to be traveled to go to the Atlantic seaboard; and

Whereas, the port of Galveston on the Gulf of Mexico has through its commercial association submitted to the Secretary of War of the United States a brief setting forth the port's adequate facilities and the patriotic desire of the citizens of Galveston to handle the disembarkation at Galveston, one of the great ports of the world; therefore, be it

Resolved, That we, the members of the Thirty-sixth Legislature of the State of Texas now regularly assembled in session, do hereby respectfully request of the Secretary of War that he issue an order directing that the Thirty-sixth Division, American Expeditionary Forces, now on duty in France, upon its return be ordered to Galveston, Texas, for disembarkation, and be it further

Resolved, That we do hereby express to the Honorable Secretary of War our appreciation as representatives of the people of Texas of the granting of this order; and be it further

Resolved, That the Secretary of the Senate and Chief Clerk of the

House of Representatives of the State of Texas be and is hereby directed to transmit a copy of this resolution to the Secretary of War of the United States of America and a copy to each United States Senator from Texas and to each member of the House of Congress of the United States of America representing congressional districts of the State of Texas; and be it further

Resolved, That in the event the citizens of Texas are permitted to have this great privilege of paying proper honor to their returning sons, that His Excellency William P. Hobby, Governor of Texas, is hereby requested to set and declare the date of the arrival of the "Fighting Thirty-sixth" a legal holiday, that each and every loyal Texan may be afforded the opportunity to participate in a befitting reception for the home-coming.

The resolution was read and adopted.

#### House Bill No. 19.

The Chair laid before the Senate on second reading:

H. B. No. 19, A bill to be entitled "An Act to grant to every person, firm, corporation, limited partnership, joint stock association or association of any kind whatsoever owning, operating or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared to be a common carrier by and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature, approved February 20, 1917, the right and power of eminent domain in the exercise of which he, it or they may enter upon and condemn the lands, rights of way, easements and property of any person or corporation necessary for the construction, maintenance or operation of his, its or their common carrier pipe lines, the manner and method of such condemnation and the assessment and payment of the damages therefor to be the same as is provided by law in the case of railroads; and to grant such other rights as are conferred by Article 1306 of Chapter 24, Title 25, of the Revised Civil Statutes of Texas of 1911, upon corporations organized

under said Chapter 24, and declaring an emergency."

On motion of Senator Carlock, further consideration of the bill was postponed until such time as S. B. No. 78 is reached on the calendar.

#### House Bill No. 56.

The Chair laid before the Senate on second reading:

H. B. No. 56, A bill to be entitled "An Act to be entitled 'An Act authorizing certain foreign corporations which more than ten years prior to the passage hereof have been convicted of violation of the provisions of Title 130 of the Revised Statutes of Texas of 1911 and whose right to do business in the State was forfeited thereunder, and the fine against which was not in excess of \$3000, and who have not violated any of the provisions of the judgment of forfeiture, and who have paid said fine, to revive their permits to do business in Texas, and declaring an emergency.'"

The bill was read second time and passed to its third reading.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 56 put on its third reading and final passage by the following vote:

#### Yeas—21.

Bell.	Floyd.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Suiter.
Dayton.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

#### Nays—1.

Williford.

#### Present—Not Voting.

Alderdice.

#### Absent.

Hopkins.	Strickland.
Parr.	Woodward.
Smith.	

#### Absent—Excused.

Bailey.	Gibson.
Dean.	

The bill was laid before the Senate, read third time and, on motion of Senator Page, was passed by the following vote:

## Yeas—20.

Alderdice.	Dudley.
Bell.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hall.
Caldwell.	Hertzberg.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Strickland.
Dorough.	Witt.

## Nays—2.

Suiter.	Williford.
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## Absent.

Hopkins.	Smith.
Parr.	Woodward.

## Absent—Excused.

Bailey.	Gibson.
Dean.	

## Pairs Recorded.

Senator Westbrook (present), who would vote no; Senator Gibson (absent), who would vote aye.

Senator Woods (present), who would vote aye; Senator Dean (absent), who would vote no.

Senator McNealus moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

Morning call concluded.

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Message From the House.

Hall of the House of Representatives,  
Austin, Texas, January 29, 1919.  
Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

"S. B. No. 59, A bill to be entitled  
"An Act to make certain emergency appropriateions out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

By vote of 119 yeas and 0 nays, House concurs in Senate Amendments

to H. J. R. No. 1; by vote of 117 yeas and 0 nays, House concurs in Senate Amendments to H. C. R. No. 9.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

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Senate Bill No. 106.

The Chair laid before the Senate on second reading:

S. B. No. 106, A bill to be entitled  
"An Act to make it unlawful for any person, firm or corporation to give dancing exhibitions or performances in a tent or other enclosure when such dancing exhibition or performance constitutes all or a major portion of any exhibition or performance; and to make it unlawful for male persons and female persons to dance as partners in a tent or other temporary enclosure; providing penalties for the violation thereof and declaring an emergency."

Senator Floyd offered the following amendment:

Amend S. B. No. 106, Section 2, line 28, after the word "located" by striking out the period and adding a semi-colon and the following: provided that provisions of this Act shall not apply to incorporated towns and cities of this State of 20,000 inhabitants or more.

Senator Page moved to table the amendment, and this motion prevailed by the following vote:

## Yeas—12.

Alderdice.	Hertzberg.
Bell.	Johnston.
Carlock.	Page.
Dudley.	Westbrook.
Faust.	Williford.
Hall.	Woods.

## Nays—10.

Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dorough.	Witt.

## Absent.

Caldwell.	McNealus.
Dayton.	Parr.
Hopkins.	Woodward.

## Absent—Excused.

Bailey.	Gibson.
Dean.	

Senator Dudley offered the following amendment:

Amend the bill by making same apply only to the Counties of Red River, Titus, Franklin, Hopkins, and Delta.

Senator Floyd moved to table the amendment and this motion prevailed by the following vote:

Yeas—14.

Alderdice.	Hopkins.
Buchanan of Bell.	Smith.
Buchanan of Scurry.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dorough.	Williford.
Floyd.	Woods.

Nays—11.

Bell.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Dudley.	Page.
Faust.	Witt.
Hall.	

Absent.

Dayton.	Parr.
Dean.	Woodward.

Absent—Excused.

Bailey.	Gibson.
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Senator Hertzberg offered the following amendment:

Amend S. B. No. 106, by adding after the word "any" line 15, Section 1, the word "indecent," and adding after the word "all" in line 23, Section 2, the word "indecent" and by striking out all of Section 1, after the word "enclosure" line 16, Section 1, and striking out all of Section 2 after the word "persons" line 25, Section 2.

Senator Floyd moved to table the amendment and this motion prevailed by the following vote:

Yeas—17.

Alderdice.	McNealus.
Buchanan of Bell.	Smith.
Buchanan of Scurry.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dorough.	Witt.
Floyd.	Woods.
Hopkins.	

Nays—8.

Bell.	Hall.
Carlock.	Hertzberg.
Dudley.	Johnston.
Faust.	Page.

Absent.

Caldwell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Gibson.
Dean.	

The bill was read second time and passed to engrossment by the following vote:

Yeas—17.

Alderdice.	McNealus.
Buchanan of Bell.	Smith.
Buchanan of Scurry.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dorough.	Witt.
Floyd.	Woods.
Hopkins.	

Nays—9.

Bell.	Hall.
Caldwell.	Hertzberg.
Carlock.	Johnston.
Dudley.	Page.
Faust.	

Absent.

Parr.	Woodward.
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Absent—Excused.

Bailey.	Gibson.
Dean.	

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 106 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Dudley.
Bell.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hall.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	Johnston.
Cousins.	McNealus.
Dayton.	Page.
Dorough.	Smith.



Strickland.	Williford.
Suiter.	Witt.
Westbrook.	Woods.

Absent.

Parr.	Woodward.
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Absent—Excused.

Bailey.	Gibson.
Dean.	

The bill was laid before the Senate, read third time and, on motion of Senator Floyd, was passed by the following vote:

Yeas—17.

Alderdice.	McNealus.
Buchanan of Bell.	Smith.
Buchanan of Scurry.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dorough.	Witt.
Floyd.	Woods.
Hopkins.	

Nays—9.

Bell.	Hall.
Caldwell.	Hertzberg.
Carlock.	Johnston.
Dudley.	Page.
Faust.	

Absent.

Parr.	Woodward.
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Absent—Excused.

Bailey.	Gibson.
Dean.	

#### Executive Session—Time Set.

Senator McNealus moved that the Senate go into executive session next Friday morning at eleven o'clock for the purpose of considering nominations of the Governor.

The motion prevailed.

#### Resolution Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after its caption had been read, the following:

H. C. R. No. 20, relating to an in-

vestigation of the Ranger Force of Texas.

#### Simple Resolution No. 41.

The chairman of the Committee on Rules asked that the time given by the Senate in which to report on S. R. No. 41, be extended until tomorrow morning.

The request was granted by the Senate.

#### Simple Resolution No. 43.

Whereas the Hon. O. S. Lattimore, a former distinguished member of this Senate is present, be it

Resolved, that he be invited to address the Senate and accorded the privilege of the floor.

CALDWELL,  
HERTZBERG,  
CARLOCK.

The resolution was read and adopted and Judge Lattimore being conducted to the President's stand and presented to the Senate, made a brief address.

#### Senate Bill No. 78.

The Chair laid before the Senate on second reading:

S. B. No. 78, A bill to be entitled "An Act to amend Article 1306 of Chapter 24, Title 25, of the Revised Civil Statutes of Texas of 1911, so as to remove the limitations of the right of common carrier pipe lines organized under said chapter and title to condemn only for pipe lines not exceeding eight inches in diameter and to grant to every person, firm, corporation, limited partnership, joint stock association or association of any kind whatever owning, operating or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared to be a common carrier by and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature, approved on February 20, 1917, the right and power of eminent domain in the exercise of which he, it or they may enter upon and condemn the lands, rights of way, easements and prop-

erty of any person or corporation necessary for the construction, maintenance or operation of his, its or their common carrier pipe lines, the manner and method of such condemnation and the assessment and payment of the damages therefor to be the same as provided by law in the case of railroads; and to grant such other rights as are conferred by said Article 1306 as amended hereby upon corporations organized under said Chapter 24; and declaring an emergency."

Pending.

### Recess.

At 12:25 o'clock p. m. the Senate on motion of Senator Westbrook, recessed until 3 o'clock p. m. today.

### After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant-Governor Johnson.

### At Ease.

By unanimous consent, and on request of Senator Johnston, the Senate stood at ease until 3:15 o'clock p. m.

### In the Senate.

Lieutenant-Governor Johnson in the chair.

### Senate Bill No. 78.

(Pending.)

Action recurred upon the pending business, Senate Bill No. 78 (see morning session for caption), the question being upon the engrossment of the bill.

Senator Page offered the following amendment:

(1) Amend the bill by adding a new section known as

Sec. 2a. Provided that all pipe lines taking advantage of this Act shall build no pipe lines under eight inches in diameter.

McNEALUS.  
PAGE.

The amendment was read and Senator Buchanan of Scurry offered the following substitute:

Change the period to a semi-colon after the word "thereof" in line 30, page 2, and add the following:

"And provided further that the Railroad Commission shall have authority and power to regulate and approve the size in diameter of the pipe used in the construction of such pipe line or lines so built.

The substitute was withdrawn. Senator Suiter offered the following substitute for the pending amendment:

Amend Senate Bill 78 by changing the period at the end of Section 2 to a semi-colon and add thereafter the following:

Provided that at all times the companies taking advantage of the provisions of this Act shall place a line or lines sufficient in size to carry all oil offered to them for transportation.

Pending.

On motion of Senator Page, Senate Bill No. 78 was set as a special order for tomorrow at the conclusion of the morning call.

### Messages from the House.

Hall of the House of Representatives,  
Austin, Texas, January 29, 1919.  
Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the Speaker has appointed the following members of the House to serve on the Committee to investigate the Ranger Service: Bledsoe, Lackey, Tidwell, McMillin.

The House has adopted

By Mr. Tilson:

H. J. R. No. 7, Proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 59; providing for the compensation of public officials.

The House has passed the following bills:

By Mr. Miller of Dallas:

H. B. No. 44, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, Title 84 of the Revised Civil Statutes of Texas of 1911, so as to make privileged, without proof

of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers or public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners courts and boards of trustees of public schools."

By Mr. Beard, Mr. Hornby, Mr. Wiginton, Mr. Terrell and Mr. Estes:

H. B. No. 66, A bill to be entitled "An Act to amend Sections 1 and 2 of an act approved April 4, 1917, Chapter 192, Senate Bill No. 167, entitled 'An Act to provide whole family protection for members of fraternal benefit societies, and declaring an emergency'" with engrossed riders.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, January 29, 1919.

Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Mr. Tidwell, Mr. Hornby, Mr. Terrell, Mr. Thomason of Nacogdoches, Mr. Johnson of Ellis and Mr. Sentell:

H. B. No. 98, A bill to be entitled "An Act to fix the compensation of county and district court jurors in both civil and criminal cases, jury commissioners of the district and county court, and bailiffs of the grand jury."

By Mr. Cox:

H. B. No. 105, A bill to be entitled "An Act to amend Title 71, Chapter 1 of the Revised Civil Statutes of 1911, by adding thereto Article 4732a, providing for the prompt payment of losses under all insurance policies as is now provided for the payment of losses under life, accident and health policies in Article 4746, Chapter 2, Title 71, Revised Civil Statutes of Texas, and repealing Article 4746 of the Revised Civil Statutes of 1911, and providing that any insurance companies that shall fail to pay within sixty days after written notice of loss, the amount justly due thereunder to the holder thereof, shall be

liable to pay the holder of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with reasonable attorney's fees for the prosecution and collection of such loss, declaring any provision contained in any insurance policy void when in conflict herewith, and declaring an emergency."

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant-Governor Johnson, had referred after their captions had been read, the following House bills:

H. J. R. No. 7, referred to the Committee on Constitutional Amendments.

H. B. No. 44, referred to the Committee on Civil Jurisprudence.

H. B. No. 66, referred to the Committee on Insurance and Banking.

H. B. No. 98, referred to the Committee on Civil Jurisprudence.

H. B. No. 105 referred to the Committee on Insurance and Banking.

#### Bills Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read the following:

H. J. R. No. 1, being a resolution to be entitled "A Joint Resolution providing for an amendment to Article 16, Section 20, of the State Constitution, prohibiting the manufacture of intoxicating liquors, etc."

H. B. No. 56, A bill to be entitled "An Act to be entitled 'An Act authorizing certain foreign corporations which more than ten years prior to the passage hereof have been convicted of violation of the provisions of Title 130 of the Revised Statutes of Texas of 1911 and whose right to do business in this State was forfeited thereunder, and the fine against which was not in excess of \$3000, and who have not violated any of the provisions of the judgment of forfeiture, and who have paid said fine, to revive their per-

mits to do business in Texas, and declaring an emergency."

S. B. No. 59, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

#### Message From the Governor.

Governor's Office.

Austin, Texas, Jan. 29, 1919.

To the Texas State Senate:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be member of Board of Trustees of Deaf and Dumb Institute, Dr. H. B. Granberry of Travis County, to succeed himself.

To be member of Board of Trustees of Deaf, Dumb and Blind Institute, colored, J. M. Jones of Travis County, to succeed E. Cartledge of Travis County.

Respectfully submitted,

W. P. HOBBY, Governor.

The above was read and referred to the Committee on Nominations by the Governor.

#### Simple Resolution No. 41.

The Chair laid before the Senate S. R. No. 41, as follows:

Resolved, That no bills, except local bills, be considered by the Senate until printed copies of said bills have been on the desks of the Senate for at least twenty-four hours.

The Senate rule requiring committee reports to lie over one day was suspended by the following vote:

Yeas—23.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Woods.
Hall.	

Absent.

Caldwell.	Witt.
Carlock.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Gibson.
Dean.	

The committee report carrying the following amendment was adopted:

Amend the resolution by adding thereto the following:

"Provided further, that the Calendar for each day shall be placed on the desk of each Senator on or before 12 o'clock noon of the preceding day."

The resolution as amended was then adopted by the following vote:

Yeas—22.

Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Woods.

Absent.

Alderdice.	Smith.
Carlock.	Witt.
Parr.	Woodward.

Absent—Excused.

Bailey.	Gibson.
Dean.	

#### Senate Bill No. 103.

The Chair laid before the Senate on second reading:

S. B. No. 103, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools, and providing how such schools shall be located and school buildings constructed, furnished and maintained, and providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred

scholastics, exclusive of transfers, shall receive such aid; and providing that such schools receiving such aid shall have a certain percentage of attendance, with exceptions; and providing that certain of said schools so receiving aid shall add a local school tax of not less than fifty cents on the one hundred dollar valuation, and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the purposes and intentions of this Act; and defining the powers of the State Board of Education in that connection, and providing for assistants to the State Superintendent to be known as 'rural school supervisors'; and providing for reports to be made to the State Board of Education; and providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency."

On motion of Senator Suiter, the bill was laid on the table subject to call.

#### Senate Bill No. 77.

The Chair laid before the Senate on second reading:

S. B. No. 77, A bill to be entitled "An Act to provide for the teaching of United States infantry drill tactics in certain schools of this State; to provide for the examination of school teachers on United States infantry drill tactics, and professors and teachers in certain other schools of this State, and declaring an emergency."

Senator Floyd offered the following amendment, which was read and adopted:

(1) Amend the bill, Section 1, in line 11, after the word "a" by adding the word "high."

Senator Strickland offered the following amendment:

Amend Senate Bill No. 77 by striking out line 10, in page 1.

Senator Dayton moved to table the amendment, which motion was adopted.

Action recurred upon the engrossment of the bill, and the same failed of engrossment by the following vote:

Yeas—9.

Caldwell.	Hall.
Clark.	Johnston.
Dayton.	Page.
Dudley.	Westbrook.
Faust.	

Nays—13.

Alderdice.	McNealus.
Bell.	Smith.
Buchanan of Bell.	Strickland.
Buchanan of Scurry.	Suiter.
Cousins.	Williford.
Dorough.	Woods.
Hertzberg.	

Absent.

Carlock.	Parr.
Floyd.	Witt.
Hopkins.	Woodward.

Absent—Excused.

Bailey.	Gibson.
Dean.	

Senator McNealus moved to reconsider the vote by which the bill failed of engrossment, and table the motion to reconsider.

The motion to table prevailed.

#### Senate Bill No. 87.

The Chair laid before the Senate on second reading:

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4 of an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30 of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also to amend Article 1572 of Chapter 12, and to repeal Article 1651 of Chapter 13, of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing clause, and declaring an emergency."

On motion of Senator Page, the bill was laid on the table subject to call.

#### Senate Bill No. 68.

The Chair laid before the Senate on second reading:

S. B. No. 68, A bill to be entitled "An Act to make a supplemental appropriation of \$3,500 for the sup-

port and maintenance of the Dairy and Food Department for the fiscal year ending September 1, 1919, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 68 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Woods.

Absent.

Carlock.	Parr.
Dayton.	Witt.
Hopkins.	Woodward.

Absent—Excused.

Bailey.	Gibson.
Dean.	

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—21.

Alderdice.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Caldwell.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.
Faust.	

Present—Not Voting.

McNealus.

Absent.

Carlock.	Parr.
Hall.	Witt.
Hopkins.	Woodward.

Absent—Excused.

Bailey.	Gibson.
Dean.	

#### Senate Bill No. 80.

The Chair laid before the Senate on second reading:

S. B. No. 80, A bill to be entitled "An Act to amend Section 6 of Chapter 73, of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, relating to and increasing the compensation to be paid Tax Collectors for their services in the collection of motor vehicle and motorcycle taxes and licenses."

On motion of Senator Bell, the bill was laid on the table subject to call.

#### Senate Bill No. 28.

The Chair laid before the Senate on second reading:

S. B. No. 28, A bill to be entitled "An Act to authorize the appointment of a joint committee from the Senate and House to make a careful and thorough investigation into the subject of taxation, its methods and results, for the purpose of devising and reporting to the Legislature of this State plans, methods, forms, amendments and bills providing a more just, equitable, economical and effective system of taxation for the State, its counties and municipalities."

Senator Alderdice offered the following amendment:

(1) Amend by striking out the word "traveling" in lines 6 and 8 on page 3 of printed bill.

Senator Clark moved to table the amendment, and this motion was lost.

Action recurred upon the amendment, and the same was adopted.

On motion of Senator Hall, the bill was set as a special order for next Monday after the conclusion of the morning call.

#### Adjournment.

At 5:10 o'clock p. m. the Senate, on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

#### APPENDIX.

##### Bills and Memorials.

Senator Alderdice offered a numerous signed petition from colored citizens of Johnson County, urging

careful and favorable consideration of laws to prohibit and prevent mob violence.

Senator McNealus offered a telegram from W. S. Bramlett of Dallas, Texas, urging revision or defeat of the public utilities bill.

The telegram was referred to the Committee on Internal Improvements.

Senator Dayton presented a communication from the secretary of the T. G. C. & L. Oil and Gas Association, concerning oil and gas industry.

This was also referred to the Committee on Internal Improvements.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 69 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 97 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 106 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

S. B. No. 21, regulating cotton oil mill corporations and public cotton gin corporations, has had the same under consideration and report same

back to the Senate with the recommendation that the same do not pass.

BUCHANAN of Scurry, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred S. B. No. 20, prohibiting the operation of a corporation for the dual purpose of owning, controlling or operating a cotton seed oil mill, and of owning, controlling or operating a public cotton gin, etc., has had the same under consideration and report same back to the Senate with the recommendation that the same do not pass.

BUCHANAN of Scurry, Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 14, being a resolution to amend "Section 50, Article 3, of the Constitution of the State of Texas to provide that the Legislature shall have power to give or lend or authorize the giving or lending of the credit of the State for the purpose of assisting citizens who are heads of families to acquire or improve their homes; authorizing the State to acquire, improve, sell or lease real estate or assist such citizens to acquire or improve their homes upon terms and conditions prescribed by the Legislature; authorizing the Legislature to create such agencies and corporations as may be necessary to carry out the purposes of this Section; providing that obligations created under this Section shall never be taxed; and providing that the Legislature shall have authority to provide a method of securing any deferred payments for lands purchased hereunder, and that such obligations shall be secured in addition to the usual liens by an annual assessment collected as a tax against the land; and providing that the Legislature shall have no power to relieve any person from any obligation entered into under this provision or any statute enacted thereunder,"

Has had the same under consideration, and beg leave to report it back

to the Senate with the recommendation that it do pass, and be printed.

BUCHANAN of Bell, Chairman.

Committee Room.

Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 54, A bill to be entitled "An Act establishing Athletic Commission, and regulating the art of boxing and sparring exhibitions or performances in the State of Texas,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WILLIFORD, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 3, Being a resolution to be entitled "A Joint Resolution proposing to amend Article V of the Constitution of the State of Texas, pertaining to the judicial department of the government of the State of Texas, fixing the date of an election to be held hereunder, and making an appropriation to pay the expenses of said election,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, with committee amendments and be printed.

(Committee Amendments.)

Amend Section 2 by providing that the Supreme Court shall consist of not less than nine (9) members nor exceeding fifteen (15) members, one of which members shall be the Chief Justice. Also amend Section 29 by providing that the date of election shall be the general election to be held on the first Tuesday after the first Monday in November, A. D. 1920.

BUCHANAN of Bell, Chairman.

Committee Room.

Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Public

Lands and Land Office, to whom was referred

S. B. No. 127, A bill to be entitled "An Act to provide for the sale, lease, transfer, patenting and forfeiture of land belonging to Public Free School Fund, the Lunatic Asylum Fund, the Deaf and Dumb Asylum Fund and the Orphan Asylum Fund, by amending Articles 5407, 5408, 5409, 5410, 5432 and 5435, of the Revised Civil Statutes of 1911, relating to the sale of public school and asylum lands, and to repeal Chapter 150, Act approved April 5, 1915, relating to the sale of public lands, and the reservation of minerals in all lands included in this Act, and decaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: A minority of your Committee on Labor, to whom was referred

S. B. No. 82, A bill to be entitled "An Act for the formation of corporations to contract for, erect, or construct improvements or structures, and acquire, sell or prepare materials used therein,"

Have had the same under consideration and report it back to the Senate the the recommendation that it do not pass.

SUITER.

(Majority Report.)

Committee Room,

Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: A majority of your Committee on Labor, to whom was referred

S. B. No. 82, A bill to be entitled "An Act for the formation of corporations to contract for, erect, or construct improvements or structures, and acquire, sell or prepare materials used therein."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the



recommendation that it do pass, with the following amendment:

Strike out the words "deal in or dispose of."

SMITH, Vice-Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Labor, to whom was referred

S. B. No. 83, A bill to be entitled "An Act for the formation of corporations to act as trustee, assignee, and agent, to accumulate and lend money, purchase and sell, and deal in, notes, bonds, and securities, without banking and discounting privileges,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Banking.

SMITH, Vice-chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: A majority of your Committee on Labor, to whom was referred

S. B. No. 42, A bill to be entitled "An Act requiring every railroad company, interurban car company and street car company doing business in this State during the months of September, October, November, December, January, February and March of each year, and when its cars are in use by and for the accommodation of the public or when being propelled by its employes, to keep each of its said cars at said times sufficiently heated, at a temperature of not less than 60 degrees Fahrenheit for the accommodation and use of its passengers and employes making use of said cars; providing a penalty for violations of the provisions of this Act and declaring an emergency,"

Have had the same under consideration and I am directed to report it back to the Senate with the recommendation that it do not pass.

SMITH, Vice-chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: A minority of your Committee on Labor, to whom was referred

S. B. No. 42, A bill to be entitled "An Act requiring every railroad company, interurban car company and street car company doing business in this State during the months of September, October, November, December, January, February and March of each year, and when its cars are in use by and for the accommodation of the public or when being propelled by its employes, to keep each of its cars at said times sufficiently heated at a temperature of not less than 60 degrees Fahrenheit for the accommodation and use of its passengers and employes making use of said cars; providing a penalty for violations of the provisions of this Act and declaring an emergency,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass with the following amendment:

Strike out the words "railroads and railroad company" wherever it appears in the bill.

WESTBROOK.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 119, being a bill to be entitled "An Act to amend Article 1551, Chapter 9, Title 31, Revised Civil Statutes of Texas of 1911, and also to amend Article 1627, Title 32, of Chapter 9, Revised Civil Statutes of Texas, 1911, so as to provide, in substance, that when the judgment of the lower court is affirmed or reversed and rendered that the Court of Civil Appeals or the Supreme Court in which said suit is pending shall at the same time render judgment against the party appealing, together with the sureties on the appeal bond or supersedeas bond, for the amount of the judgment so rendered, and providing that the said court shall make such disposition as

to costs as may be deemed proper; to repeal all laws in conflict herewith, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

CARLOCK, Vice Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 110, being a bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for renewal of such bond; imposing penalties for pursuing the occupation of live stock commission merchant when bond has not been made, or when there has been an intentional breach of said bond; requiring remittances of the proceeds of stock sold by such commission merchant to be made to the consignees within forty-eight hours after such sale has been made, either in certified check or bank exchange, unless waived in writing by such consignee; providing for suits under such bond, fixing the venue of such suits, repealing all laws in conflict therewith, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

CARLOCK, Vice Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 161, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Live Stock Sanitary Commission for the fiscal year ending August 31, 1919, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 155, A bill to be entitled "An Act making an appropriation for the drilling and equipment of a deep well to supply the State Agricultural Experiment Station at College Station with a sufficient quantity of water, for the building of a reservoir and the purchase and installment of a pumping plant in connection therewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Rules to whom was referred

Simple Resolution No. 41, "providing that no bills, except local bills, be considered by the Senate until printed copies of said bills have been on the desks of the Senate for at least twenty-four hours,"

Have had the same under consideration, and I beg leave to report the same back to the Senate with the recommendation that the same be adopted, with the following committee amendment:

"Provided further, that the Calendar for each day shall be placed on the desk of each Senator on or before 12 o'clock noon of the preceding day."

HALL, Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: You Committee on Agricultural Affairs, to whom was referred

S. B. No. 150, a bill to be entitled "An Act providing that borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the 35th Legislature passed at the 4th Called Session may by payment of accrued interest be given two years additional time in which to return the principal, and declaring an emergency,"

Has had the same under considera-

tion, and beg to report it back to the Senate with the recommendation that it do pass.

BELL, Chairman.

Committee Room,  
Austin, Texas, Jan. 28, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

S. B. No. 149, A bill to be entitled "An Act authorizing counties, acting through their commissioners' courts, to purchase seed to be planted on farms in such counties by residents thereof, who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, by which such seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1919 are collected; conferring certain powers and prescribing certain duties, relative to the administration of this Act, on the commissioners' courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this Act may obtain seed and feed hereunder, and providing for the payment therefor by such persons; conferring certain power and authority upon the county tax collectors and county attorneys relative to the administration of this Act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed, and the distribution of same hereunder, and the terms and conditions thereof; prescribing certain duties for the Governor of Texas, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas, relative to the administration of this Act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this

Act, and providing punishment therefor; stating when operation may be commenced under this Act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this Act, in the sum of one million dollars, and declaring an emergency."

Has had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass.

BELL, Chairman.

### THIRTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
January 30, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Woods.
Gibson.	

Absent.

Woodward.

Absent—Excused.

Bailey.

Witt.

Dean.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Witt was excused for today on account of important business, on motion of Senator Dorough.